



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ११, अंक २५]

मंगळवार, जुलै ८, २०२५/आषाढ १७, शके १९४७

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असाधारण क्रमांक ५८

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) (Second Amendmend) Bill, 2025 (L. A. Bill No. LXXVI of 2025), introduced in the Maharashtra Legislative Assembly on the 8th July 2025, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

SATISH WAGHOLE,

Secretary to Government,

Law and Judiciary Department.

L. A. BILL No. LXXVI OF 2025.

A BILL

further to amend the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.

WHEREAS it is expedient further to amend the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, for the purposes hereinafter appearing; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :—

Mah.
XXVIII
of 1971.

1. This Act may be called the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) (Second Amendment) Act, 2025.

Mah.
XXVIII
of 1971.

2. In section 3D of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (hereinafter referred to as “ the principal Act ”), in clause (b), in sub-clause (iii), in section 13, in sub-section (1), for the words “ one hundred and twenty days ” the words “ sixty days ” shall be substituted.

Amendment
of section 3D
of Mah.
XXVIII of
1971.

Amendment
of section
15A of Mah.
XXVIII of
1971.

3. In section 15A of the principal Act, in sub-section (1),—

(i) after the words “thirty days from the completion of” the words “rehabilitation component of” shall be inserted ;

(ii) before the existing proviso the following proviso shall be added, namely :—

“ Provided that, where the Slum Rehabilitation Scheme is implemented by any public authority of State Government, constituted under any law enacted by the State Legislature or urban local body or planning authority or Government Undertaking Agency or any other Government Company, as the case may be, in joint venture with the Slum Rehabilitation Authority, within thirty days from the date of issuance of Letter of Intent (LOI) to such Slum Rehabilitation Scheme, the State Government or the Chief Executive Officer with the prior approval of State Government may, declare by notification in the *Official Gazette*, that such land so declared as the Slum Rehabilitation Area shall vest in Slum Rehabilitation Authority :”;

(iii) in the existing proviso for the words “ Provided that ” the words “ Provided further that ” shall be substituted.

Substitution
of section 33A
of Mah.
XXVIII of
1971.

4. For section 33A of the principal Act, the following section shall be substituted, namely:—

Procedure for
allotment of
tenements to
slum dwellers
not willing to
join Scheme
or Project.

“**33A.** In respect of the slum dwellers, who are in possession or occupation of the building or structure which is part of the Slum Rehabilitation Scheme or Slum Redevelopment Project and who are held eligible for permanent alternate accommodation by the Slum Rehabilitation Authority or the Competent Authority, as the case may be, and who do not join such Scheme or Project willingly, the Chief Executive Officer or the Competent Authority shall,—

(a) ensure that provision for permanent alternate accommodation for all such slum dwellers is made in the buildings to be constructed for rehabilitation component of the Scheme or Project;

(b) communicate in writing to such slum dwellers that tenement would be given to them by way of allotment by drawing lots on the same basis as communicated by the developer to those who have joined the Scheme or Project;

(c) communicate to such slum dwellers that the transit tenement of minimum 120 square feet would be allotted to them or the amount of rent in lieu of transit accommodation as may be fixed by the Slum Rehabilitation Authority or the Competent Authority;

(d) direct the eviction of such slum dwellers from the structure under their occupation and effect demolition of such structure or any part thereof in such manner and within such time as may be specified in the clearance order, and for the purpose of such eviction, may use or cause to be used such force as may be necessary;

(e) communicate in writing to the slum dwellers, who do not join such Scheme or Project willingly and against whom action under clause (d) is proposed that after such action they shall not be eligible for transit tenement or for the reconstructed tenement by lots, but, shall be entitled only to what is available after others have chosen their tenements in the Scheme or Project;

(f) communicate in writing to such slum dwellers that, if they do not join till the building permission to the first building of the Scheme or Project is given, they shall lose the right to any built-up tenement, and their tenements shall be taken over by the Slum Rehabilitation Authority or the Competent Authority, and be used for the purpose of accommodating other slum dwellers who cannot be accommodated *in-situ*, and they shall be entitled to only pitch of about 3 mtrs. x 3.5 mtrs. elsewhere, if and when available, and construction thereon shall have to be done by such slum dwellers on their own."

5. After section 33A of the principal Act, the following section shall be inserted, namely :-

Insertion of new section 33B in Mah. XXVIII of 1971.

"33B. (1) The eligible slum dwellers of the Slum Rehabilitation Scheme or Slum Redevelopment Project, may apply to the Chief Executive Officer or the Competent Authority, as the case may be, for recovery of rent in lieu of transit accommodation due from the developer of such Scheme or Project, in such manner and accompanied by such fees, as may be determined by the authority.

Recovery of rent due from developers.

(2) Where the Chief Executive Officer or the Competent Authority, as the case may be, is satisfied that the developer of any Slum Rehabilitation Scheme or Slum Redevelopment Project has defaulted in paying rent in lieu of transit accommodation to the eligible slum dwellers as agreed, the Chief Executive Officer or the Competent Authority may, after making such enquiry in respect of any amount due, on his own motion or on receipt of the application from the eligible slum dwellers, issue an order for the recovery of such amount within such stipulated time as may be specified in the order.

(3) The amount specified in every such order for recovery issued by the Chief Executive Officer or the Competent Authority, as the case may be, if not paid by the developer within the time specified in the order, it shall be recoverable as an arrears of land revenue in accordance with the law for the time being in force:

Provided that, if the person against whom the order for recovery is issued, is a company or a limited liability partnership having no sufficient property to satisfy the amount due under recovery order, then such amount shall be recovered from the personal property of the directors or partners of such company or firm, as the case may be."

Amendment
of section 35
of Mah.
XXVIII of
1971.

6. In section 35 of the principal Act,-

(1) sub-section (1A) of section 35 of the principal Act, as substituted by the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) (Amendment, Re-enactment of Rules and Notification of Apex and other Grievance Redressal Committees and Validation) Act, 2023, shall be deemed to have been substituted by the said Amendment Act with effect from the 8th March 2017;

Mah.
XXXIII
of 2023.

(2) sub-section (5) of section 35 of the principal Act, as amended by the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) (Amendment, Re-enactment of Rules and Notification of Apex and other Grievance Redressal Committees and Validation) Act, 2023 shall be deemed to have been amended by the said Amendment Act, with effect from the 8th March 2017.

Mah.
XXXIII
of 2023.

Validation
and savings.

7. Notwithstanding anything contained in the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 or any judgment, decree or order of any court, tribunal or authority to the contrary, all acts, proceedings or things done or taken, including the orders passed by the Apex Grievance Redressal Committee and Grievance Redressal Committees, during the period commencing from the 8th March 2017 and ending on the date of commencement of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) (Amendment, Re-enactment of Rules and Notification of Apex and other Grievance Redressal Committees and Validation) Act, 2023 (hereinafter, in this section, referred to as "the Amendment Act"), under the said Act, the Rules and the Notification, shall be deemed to be and shall be deemed always to have been, duly and validly taken or done in accordance with the law as if the provisions of the said Act, as amended by the Amendment Act, had been continuously in force at all material times and accordingly, all actions taken or proceedings or things done by any officer or authority in connection with any Slum Rehabilitation Scheme, in pursuance of the orders passed by the said Committees, shall for all the purposes, be deemed to be and shall be deemed always to have been done or taken in accordance with the provisions of the said Act, as amended by the Amendment Act.

Mah.
XXVIII
of 1971.

Mah.
XXXIII
of 2023.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (Mah. XXVIII of 1971) has been enacted to provide for the implementation and clearance of slum areas in the State and their redevelopment and for the protection of occupiers from eviction and distress warrant. The said Act also provide for implementation of the Slum Rehabilitation Scheme as well as Slum Redevelopment Projects. To bring clarity in the provisions of Act, it is considered expedient to amend the said Act, suitably.

2. The salient features of the proposed amendments are as under,-

- (i) to reduce the period, from one hundred and twenty days to sixty days, required for relocation and rehabilitation of protected and other occupiers of the Slum Rehabilitation Scheme for redevelopment of the land under sub-section (1) of section 13;
- (ii) to make a provision in 15A, for the vesting of slum rehabilitation land in the Slum Rehabilitation Authority where the Slum Rehabilitation Schemes are implemented by any public authority, urban local body, planning authority, Government undertaking agencies or any other Government Company in joint venture with the Slum Rehabilitation Authority and thereafter to lease out the said land to such Government or semi-Government Agencies;
- (iii) to amend section 33A, to elaborate the procedure for allotment of tenements to eligible slum dwellers, suitably ;
- (iv) to make provision under section 33B for recovery of amount of rent in lieu of transit accommodation, due from the developer, as an arears of land revenue.

3. The Bill seeks to achieves the above objectives.

Mumbai,
Dated the 7th July 2025.

EKNATH SHINDE,
Deputy Chief Minister (Housing).

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of a legislative powers, namely :—

Clause 3(ii). Under this clause, which seeks to add the proviso to sub-section (1) of section 15A of the Act, power is taken to the State Government or the Chief Executive Officer, with the approval of the State Government, to declare by notification published in the *Official Gazette*, that the slum rehabilitation land shall vest in the Slum Rehabilitation Authority, where the Slum Rehabilitation Scheme is implemented by any public authority or urban local body in joint venture with the Slum Rehabilitation Authority.

2. The above mentioned proposal for delegation of legislative power is of a normal character.